

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**FIRST AMENDED RC PETITION**

DO NOT WRITE IN THIS SPACE

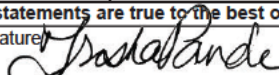
Case No.

10-RC-313298

Date Filed

**INSTRUCTIONS:** Unless e-Filed using the Agency's website, [www.nlr.gov/](http://www.nlr.gov/), submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

**1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. **The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.**

<b>2a. Name of Employer:</b> Duke University		<b>2b. Address(es) of Establishment(s) involved (Street and number, City, State, ZIP code):</b> Office of the President 207 Allen Building, Box 9001, Durham, NC 27708-0001	
<b>3a. Employer Representative - Name and Title:</b> Vincent E. Price, President		<b>3b. Address (if same as 2b - state same):</b> Same as above.	
<b>3c. Tel. No.</b> 919-684-2424	<b>3d. Cell No.</b> N/A	<b>3e. Fax No.</b> 919-684-3050	<b>3f. E-Mail Address</b> president@duke.edu
<b>4a. Type of Establishment (Factory, mine, wholesaler, etc.)</b> University		<b>4b. Principal Product or Service</b> Education	<b>5a. City and State where unit is located:</b> Durham, NC
<b>5b. Description of Unit Involved:</b> <b>Included:</b> See attachment. <b>Excluded:</b> See attachment.			<b>6a. Number of Employees in Unit:</b> 2,500 <b>6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Check One:</b> <input checked="" type="checkbox"/> 7a. Request for recognition as Bargaining Representative was made on (Date) <u>2/24/2023</u> and Employer declined recognition on or about (Date) <u>No reply.</u> (If no reply received, so state). <input type="checkbox"/> 7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.			
<b>8a. Name of Recognized or Certified Bargaining Agent (if none, so state)</b> N/A		<b>8b. Address:</b> N/A	
<b>8c. Tel. No.</b> N/A	<b>8d. Cell No.</b> N/A	<b>8e. Fax No.</b> N/A	<b>8f. E-Mail Address</b> N/A
<b>8g. Affiliation, if any:</b> N/A		<b>8h. Date of Recognition or Certification</b> N/A	<b>8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year)</b> N/A
<b>9. Is there now a strike or picketing at the Employer's establishment(s) involved?</b> <u>No</u> If so, approximately how many employees are participating? _____ (Name of Labor Organization) <u>N/A</u> , has picketed the Employer since (Month, Day, Year) <u>N/A</u>			
<b>10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state)</b> N/A			
<b>10a. Name</b> N/A		<b>10b. Address</b> N/A	<b>10c. Tel. No.</b> N/A
			<b>10d. Cell No.</b> N/A
		<b>10e. Fax No.</b> N/A	<b>10f. E-Mail Address</b> N/A
<b>11. Election Details:</b> If the NLRB conducts and election in this matter, state your position with respect to any such election: See attached			<b>11a. Election Type:</b> <input type="checkbox"/> Manual <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Mixed Manual/Mail
<b>11b. Election Date(s):</b> See attached		<b>11c. Election Time(s):</b> See attached	<b>11d. Election Location(s):</b> See attached
<b>12a. Full Name of Petitioner (including local name and number):</b> Southern Region Workers United		<b>12b. Address (street and number, city, State and ZIP code):</b> 1777 Phoenix Parkway, Suite 230 Atlanta, GA 30349	
<b>12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state):</b> Service Employees International Union			
<b>12d. Tel. No.</b> 770-306-8856	<b>12e. Cell No.</b> N/A	<b>12f. Fax No.</b> N/A	<b>12g. E-Mail Address</b> N/A
<b>13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.</b>			
<b>13a. Name and Title:</b> Trisha Pande, Patterson Harkavy LLP		<b>13b. Address (street and number, city, State and ZIP code):</b> 100 Europa Drive, Suite 420 Chapel Hill, 27517	
<b>13c. Tel. No.</b> 919-942-5200	<b>13d. Cell No.</b> N/A	<b>13e. Fax No.</b> 866-397-8671	<b>13f. E-Mail Address</b> tpande@pathlaw.com
<b>I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.</b>			
<b>Name (Print)</b> Trisha Pande		<b>Signature</b> 	<b>Title</b> Attorney, Patterson Harkavy LLP
			<b>Date</b> 3/17/2023

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Amended RC Petition (10-RC-313298)  
Employer: Duke University  
Petitioner: Southern Region Workers United, SEIU

Attachment

**5b. Description of Unit Involved:**

Including: All PhD students in Duke University departments housed at its campuses in Durham and Beaufort, North Carolina, who are working toward PhD degrees offered by the Duke Graduate School and who are employed by Duke University to provide instructional services in undergraduate or graduate-level courses or labs (including, but not limited to, Teaching Assistants, Graduate Assistants, Instructors, and Graders) or to provide research services (including but not limited to Research Assistants and Graduate Assistants).

Excluding: All students at Duke Kunshan University and Duke-NUS Medical School, all students not working towards PhD degrees offered by the Duke Graduate School and all other employees, guards and supervisors as defined in the Act.

**11. Election Details:**

The Union requests a mixed manual-mail election and proposes the following:

Manual election for all eligible voters working at Duke University's Durham Campus to be conducted over the course of three days (March 29, 30, and 31, 2023) from 9 am to 6 pm at the following election polling sites:

1. Bryan Center, 120 Science Dr., Durham, NC 27710
2. East Union, 712 Broad St., Durham, NC 27701
3. Davison Building, 200 Trent Dr., Durham, NC 27710

Mail ballot election with ballots mailed out on March 22, 2023 and counted on April 5, 2023 for all eligible voters who (1) work at Duke University's Beaufort Campus, or (2) work remotely out-of-state.

Voter Eligibility: Eligible voters include employees who are currently employed in the above-described unit and/or who have held a unit position during the Fall 2022 or Spring 2022 semesters.

**CERTIFICATE OF SERVICE**

**Employer Name:** Duke University

**Service on the Employer**

First Amended

I hereby certify that on 3/17/2023 (date), a copy of the petition involving the Employer named above, ~~a Statement of Position (Form NLRB-505), and a Description of Procedures (Form NLRB-4812)~~ were served on the Employer by: (check whichever is applicable)

- ☐ e-mail ~~to the email address shown on the petition.~~ through counsel, Steven Porzio, Proskauer Rose LLP
- ☐ facsimile (with the permission of the Employer) to the facsimile number shown on the petition.
- ☐ overnight mail ~~to the mailing address shown on the petition.~~
- ☐ hand-delivery to \_\_\_\_\_ (name of Employer's representative) at the following address: \_\_\_\_\_.

**Service on the Other Party Named in the Petition**

I hereby certify that on \_\_\_\_\_ (date), a copy of the petition involving the Employer named above, a Statement of Position (Form NLRB-505), and a Description of Procedures (Form NLRB-4812) were also served on \_\_\_\_\_ (name of party or parties) by: (check whichever is applicable)

- ☐ email to the email address shown on the petition.
- ☐ facsimile (with the permission of the party) to the facsimile number shown on the petition.
- ☐ overnight mail to the mailing address shown on the petition.
- ☐ hand-delivery to \_\_\_\_\_ (name of party's representative) at the following address: \_\_\_\_\_.

**Service on the Other Party Named in the Petition**

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- ☐ email to the email address shown on the petition.
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- ☐ overnight mail to the mailing address shown on the petition.
- ☐ hand-delivery to \_\_\_\_\_ (name of party's representative) at the following address: \_\_\_\_\_.



Signature

Trisha Pande, Patterson Harkavy LLP

Name and Title

3/17/2023

Date